GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – LFB&IMS Department- Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District – Disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 for the alleged irregularities and grave misconduct - Articles of Charges - Issued.

LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.RT.No. 226 **Dated: 08-09-2025**
Read the following:-

Ref:-1.From the DG, ACB, A.P., C.No.12/DES-EWG/2021, dated: 25.09.2024.
2. From the DG, ACB, AP., Letter. No. C.No.12/DES-EWG/2021- S.13, Dated.05.05.2025 along with enclosures.

* * * * *

ORDER:-

It is proposed to hold an inquiry against Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him is enclosed (Annexure-II). A list of witnesses by whom and a list of documents by which the Articles of charges are proposed to be sustained are also enclosed (Annexure– III&IV).

3. Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District is directed to submit his written statement of defense within 10 days from the date of receipt of this Government order.

4. Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District is further informed that if he does not submit his written statement of defense on or before the date specified in Para-3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him exparte.

(P.T.O)

6. Attention of Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to furtherance of his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another persons in respect of any matter dealt with these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

8. The receipt of this G.O. should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V. SESHAGIRI BABU
SECRETARY TO GOVERNMENT(FAC)

To
Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District **through** the Commissioner of Labour, Andhra Pradesh, Vijayawada (with a request to serve the Articles of charges on the individual and furnish the dated ACK. of served copy for record).
The Commissioner of Labour, Andhra Pradesh, Vijayawada.
Copy to:
Andhra Pradesh Vigilance Commission, Velagapudi, Andhra Pradesh.
The Director General, Anti Corruption Bureau, Vijayawada, Andhra Pradesh.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SO-1, SRI MATTA RAMA RAO, JOINT COMMISSIONER OF LABOUR, ZONE-II, ELURU, ELURU DISTRICT(ERSTWHILE WEST GODAVARI DISTRICT) IN 02/SC-EWG/2021 OF ACB, ELURU RANGE.

That SO-1 Sri.Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District(here-in-after referred as "Charged Government Servant" for the sake of brevity) while functioning as such during the period from 03.04.2018 to 04.03.2021committed grave misconduct in as much as:

CHARGE-I:-

That the Charged Government Servant while working as Joint Commissioner of Labour, Zone-II, Eluru, Eluru District (erstwhile West Godavari District) during the period from 03.04.2018 to 04.03.2021, he is overall incharge of the administration of O/o. Joint Commissioner of Labour. Sri VelagapalliRoopkanth was appointed as Jr. Assistant on compassionate grounds on 09.09.2014 with a condition that he should complete his degree within two years. After completion of 5 years of service, he submitted a representation to the Joint Commissioner of Labour, Eluru with a request to declare his probation as he completed a BBA degree with Satyabhama University, Chennai. The JCL, Eluru confirmed the said certificate as a fake one through the Registrar, Satyabhama University on 01.02.2020. But, he did not take any action against himtill the date of the Surprise check.

CHARGE-II:-

That the Charged Government Servant while working as Joint Commissioner of Labour, Zone-II, Eluru, Eluru District (erstwhile West Godavari District) during the period from 03.04.2018 to 04.03.2021. He failed to supervise his subordinates to perform the legitimate duties like noticing of processing Administrative files, disburse of FDRs, Collections of LabourCess and dispose of files within the stipulated period by violating the Citizen Charter.

Thus, the Charged Government Servant has exhibited gross negligence and lack of devotion to duty conduct unbecoming of Charged Government Servant and thereby contravened Regulation, 3(1), 3(2) & 3(5)of APCS (Conduct) Rules, 1964.

M.V. SESHAGIRI BABU
SECRETARY TO GOVERNMENT (FAC)

// FORWARDED : : BY ORDER //

SECTION OFFICER

ANNEXURE –II

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SO-1 SRI MATTA RAMA RAO, JOINT COMMISSIONER OF LABOUR, ZONE-II, ELURU, ELURU DISTRICT (ERSTWHILE WEST GODAVARI DISTRICT) IN 02/SC-EWG/2021 OF ACB, ELURU RANGE.

Sri SO-1 Sri Matta Rama Rao, Joint Commissioner of Labour, Zone-II, Eluru, Eluru District (previously West Godavari District)is a native of Jarajapupeta, Nellimarla Mandal, Vizianagaram District. His date of birth is 01.07.1965. He joined in the Government Service on 02.05.1995 as Assistant Labour Officer. Later he was promoted as Joint Commissioner of Labour and posted at Eluru and he worked there from 03.04.2018 to 04.03.2021. His basic pay is Rs. 77,030/-. He is retired on attaining the age of superannuation on 30.06.2027. He is here-in-after referred to as Charged Government Servant.

Brief facts:

On credible information that Sri M.Rama Rao, Joint Commissioner of Labour, Eluru, West Godavari District and his staff are indulging in irregular practices by abusing their official position, a surprise check was conducted on the office of office of Joint Commissioner of Labour, Zone-II, Eluru, West Godavari District in the presence of four mediators on 04.03.2021.

The DSP and Inspectors of ACB, Eluru Range secured the services of four government officialsleft the ACB office on 04.03.2021 at 11.15 hrs in three hired vehicles and reached the vicinity of office of Joint Commissioner of Labour, Eluru at 11.25 hours. The DSP ACB, Eluru Range, Eluru identified that the Joint Commissioner of Labour is found absent in the office. Then the DSP contacted Joint Commissioner of Labour, Eluru over phone and requested him to come to office.

During the Surprise Check conducted in the presence of mediators, Inspector, ACB, Eluru noticed that Sri Velagapalli Roopkanth was appointed as Jr. Assistant on compassionate grounds on 09.09.2014 with a condition that he should complete his degree within two years. After completion of 5 years of service, he submitted a representation to the Joint Commissioner of Labour, Eluru with a request to declare his probation as he completed a BBA degree with Satyabhama University, Chennai. The JCL, Eluru confirmed the said certificate as a fake one through Registrar, Satyabhama University on 01.02.2020. But, he did not take any action against him to till the date of the surprise check.

During the Surprise Check conducted in the presence of mediators, Inspector, ACB, Eluru noticed that the SO-1 failed to supervise his subordinates to perform their legitimate duties like noticing of processing Administrative files, disburse of FDRs, Collections of Labour Cess, and disposing of files within the stipulated period by violating the Citizen Charter.

Thus, the Charged Government Servant has committed the misconduct as follows.

CHARGE-I:-

That the Charged Government Servant while working as Joint Commissioner of Labour, Zone-II, Eluru, Eluru District (erstwhile West Godavari District) during the period from 03.04.2018 to 04.03.2021, he is overall incharge of the administration of O/o. Joint Commissioner of Labour. Sri Velagapalli Roopkanth was appointed as Jr. Assistant on compassionate grounds on 09.09.2014 with a condition that he should complete his degree within two years. After completion of 5 years of service, he submitted a representation to the Joint Commissioner of Labour, Eluru with a request to declare his probation as he completed a BBA degree with Satyabhama University, Chennai. The JCL, Eluru confirmed the said certificate as a fake one through the Registrar, Satyabhama University on 01.02.2020. But, he did not take any action against himtill the date of the Surprise check.

FACTS AND EVIDENCE:

This is proved from the following evidence.

During the Surprise Check conducted in the presence of mediators, Inspector, ACB, Eluru noticed that Sri Velagapalli Roopkanth was appointed as Jr. Assistant on compassionate grounds on 09.09.2014 with a condition that he should complete his degree within two years. After completion of 5 years of service, he submitted a representation to the Joint Commissioner of Labour, Eluru with a request to declare his probation as he completed a BBA degree with Satyabhama University, Chennai. The JCL, Eluru confirmed the said certificate as a fake one through Registrar, Satyabhama University on 01.02.2020. But, he did not take any action against him to till the date of the surprise check.

During the course of enquiry Inspector, ACB, Eluru addressed a letter to the Registrar, Sri Sathyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai about the genuineness of his letter, dated 01.02.2020 submitted to the JCL, Zone-II, Eluru. Then Sri Dr.S.S.Rao, Registrar of Satyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai addressed a letter to the Inspector of Police, ACB, Eluru Range, Eluru and confirmed that the Register Number SU485569 does not belongs to them and was not issued any such certificate. Hence, the certificate carrying Register Number SU485569, of Mr. Roopkanth was a fake certificate and was notissued by them and the same was informed to the Joint Commissioner of Labour, Eluru, West Godavari District through his letter dated: 1st February, 2020 through his letter ref. No. General/492/2021-2022, dated: 05-05-2022.

During the course of enquiry, the SO-1 has submitted a copy of proceedings vide Procgs. No. A/2659/2014, dated: 18.03.2021, as per this Sri V. Roopkanth, Jr. Assist. O/o. Assist. Commissioner of Labour, Vijayawada had been reverted from Jr. Assist. Post to office subordinate post and posted at O/o. Asst. Commissioner of Labour, Vuyyuru because in view of grave misconduct committed by the individual (i.e., V.Roopkanth) and in the exercise of powers conferred on the JCL, Zone-II, Eluru. But the SO-1 failed to initiate criminal action against Sri V.Roopkanth.

As per the Oral evidence mentioned in Sl. Nos.1 to 9 in the Annexure-III and documentary evidence mentioned in Sl. Nos. 2 to 6 & 12 in the Annexure-IV proved the above lapse exhibited by the Charged Government Servant.

CHARGE-II:-

That the Charged Government Servant while working as Joint Commissioner of Labour, Zone-II, Eluru, Eluru District (erstwhile West Godavari District) during the period from 03.04.2018 to 04.03.2021. He failed to supervise his subordinates to perform the legitimate duties like noticing of processing Administrative files, disburse of FDRs, Collections of Labour Cess and dispose of files within the stipulated period by violating the Citizen Charter.

FACTS AND EVIDENCE:

This is proved from the following evidence.

The DSP and Inspectors of ACB, Eluru Range secured the services of four government officialsleft the ACB office on 04.03.2021 at 11.15 hrs in three hired vehicles and reached the vicinity of office of Joint Commissioner of Labour, Eluru at 11.25 hours. The DSP ACB, Eluru Range, Eluru identified that the Joint Commissioner of Labour is found absent in the office. Then the DSP contacted Joint Commissioner of Labour, Eluru over phone and requested him to come to office.

In the meantime as per the instructions of DSP, Sri M Ravindra, Inspector examined the office building of the Joint Commissioner of Labour. The building is 2 storied building. In the ground floor, the offices of Dy. Commissioner of Labour, Asst. Commissioner of Labour, Asst. Labour Officer-1 & 2 are located. In the second floor office of the Joint commissioner of Labour, Eluru is located.

At the time of Surprise Check, the following officers were present.
1. Sri Budamuri Lakshmana Kumar, Sr. Asst.
2. Sri Shaik Jabeena, Sr. Asst.
3. Sri Balla Rajesh, Jr. Asst.
4. Sri Chinta Leela Venkata Durga Prasad, Jr. Asst.
5. Sri Mohammad Khalid, Jr. Asst.
6. Sri Netala Vijaya Sampath Kumar Babji. Jr. Asst.
7. Sri Yellimilli Ramesh, Typist.

The Inspector secured the Attendance Register and found that the register is being maintained from the month of January 2021. On verification of the Attendance Register, Superintendent -1, Sr. Asst. - 4, Jr. Asst. - 4, Typist -1, Attender -1 are working in the office of the Joint commissioner of Labour, Eluru. Smt. Shaik Jabeena, Sr. Asst., Sri Md. Khalid, Jr. Asst., Sri B Rajesh, Jr. Asst., Sri NVSK Babji, Jr. Asst., Sri Ch NVD Prasad, Jr.Asst., Sri Y Ramesh, Jr. Asst. have put their signatures in the Attendance Register on 04.03.2021. Sri Budamuri Lakshmana Kumar, Sr. Asst., did not put his signature on the Attendance Register though he was present in the office. The remaining 4 employees did not put their signatures in the Attendance Register and were found absent in the office.

The Inspector seized the Attendance Register of the office of Joint Commissioner of Labour, Eluru duly attested by the mediators and the Inspector for the purpose of further enquiry.

When the surprise check is going on, at 12.00 hours, one male person aged about 55 years appeared before the Inspector and introduced himself as Sri Matta Rama Rao, S/o Narayana, 55 years, Joint Commissioner of Labour, Eluru. On enquiry with Sri Matta Rama Rao, about the job chart of Joint Commissioner of Labour, he stated that the main job chart of Joint Commissioner of Labour is:

1) Administrative matters.
2) Complaints on Non-implementation of Minimum Wages (Time Limit is 7 days as per citizen charter)
3) Initiation of Conciliation under Industrial Disputes Act (In case of Strikes and Lock-outs)
   (Time limit is 3 days as per citizen charter)
4) Redressal of complaints of non-enforcement under various Labour Laws (Time Limit is 14 days as per citizen charter)
5) Disposal of Quasi-Judicial cases under the Minimum Wages Act, Payment of Wages Act, Employees Compensation Act, Shops and Establishment Act and Payment of Gratuity Act. (Time Limit is 6 months as per citizen charter)
6) Certificate of Standing Orders Industrial Employment (Standing Orders Act) (Time limit is 6 months as per citizen charter)
7) Implementation of Government Orders issued from time to time.

As per the instructions of the Joint Commissioner of Labour, Eluru, Sri Balla Rajesh, Jr. Asst. produced the administrative files of Jr. Assistants and Sr. Assistants in the presence of Joint Commissioner of Labour. Then Inspector examined the following files at random.

Administrative matters:

1. File No.A/2659/2014 : It is an appointment order file of Sri Velagapalli Roopkanth as Jr. Asst. Vide Procs. No. A/2659/2014, dated: 09.09.2014. As per order, it is observed that Sri V Roopkanth, S/o. Late V.K.Rajababu submitted an undertaking letter and stated that he studied Mechanical Engineering at Andhra Loyala Institute of Engineering & Technology, Vijayawada in the years 2010 to 2014, but he did not complete his Engineering Degree and he was having 10 backlog subjects. Further, he has given an undertaking that, he will be completing the 10 subjects in a period of two years, otherwise he would take reversion to the lower cadre as per his eligibility and requested to appoint him as Jr. Asst. on compassionate appointment as his father died while he was in service.

In view of the above, Sri V.Roopkanth, S/o. Late V.K. Raja Babu, Asst. Labour Officer is eligible for appointment to the post of Junior Assistant subject to the condition that he should complete his Degree within two years from the date of his joining along with a Computer Certificate. Hence, he was appointed as Junior Assistant and posted in O/o. Assistant Commissioner of Labour, Vijayawada vide Proceeding No.A/2659/2014 dated: 09.09.2014. On 07.10.2019 Sri Velagapalli Roopkanth submitted a representation to JCL, Eluru through DCL Vijayawada with a request that he has completed BBA in First Class with Satyabhama University, Chennai

at the examinations held in May 2019. He has completed 5 years of service and requested to declare his probation duly enclosing the BBA certificate of Satyabhama University, Chennai. Sri M. Rama Rao, Joint Commissioner of Labour, Eluru sent a copy of the said degree certificate to the Satyabhama University, Chennai to know the genuineness of said certificate. The Registrar, Satyabhama University confirmed that the certificate produced by Sri Velagapalli Roopkant is a fake one, vide his Lr. No. Nil, dated: 01.02.2020. Sri M. Rama Rao, JCL received the said letter on 07.02.2020, but no action taken against Sri Velagapalli Roopkanth, Jr. Asst., by the JCL, Eluru to till date of Surprise Check.

When the Inspector asked JCL, Eluru he stated that he issued a show-cause notice to Sri Velagapalli Roopkanth and action will be initiated in due course as per rules.

Then the Inspector obtained the xerox copy of the above-said file duly attested by the Joint Commissioner of Labour, Eluru, Mediators and Inspector.

During the enquiry, the Joint Commissioner of Labour, Zone-II, Eluru has submitted a copy of proceedings vide Procgs. No.A/2659/2014, dated: 18.03.2021, as per this Sri V. Roopkanth, Jr. Assist. O/o. Assist. Commissioner of Labour, Vijayawada had been reverted from Jr. Assist. Post to office subordinate post and posted at O/o. Asst. Commissioner of Labour, Vuyyuru because in view of grave misconduct committed by the individual (i.e., V.Roopkanth) and in exercise of powers conferred on the JCL, Zone-II, Eluru, after the date of Surprise Check dated 04.03.2021.

As per the orders of JCL, Eluru, Smt. Shaik Jabeena, Sr. Assistant produced the following registers in the presence of the Joint Commissioner of Labour, Eluru.

Payment of Wages Act, 1936 Register: It is being maintained in a ruled notebook containing 90 pages. As per the register total of 10 cases are pending in the Court of Authority under the Payment of Wages Act, 1936 (Joint Commissioner Court). The details were mentioned in the mediators report:

As per the citizen charter, the time limit for disposal of applications were received under the Payment of Wages Act, 1936 is 6 months, but no case was disposed of within the six months period.

Minimum Wages Act, 1948 Main Case Register: It is being maintained in white pages notebook. As per the register, total 28 cases are pending in the court of Authority under the Minimum Wages Act, 1948 (Joint Commissioner Court). in the mediators report:

As per the citizen charter, the time limit for disposal of applications were received under the Minimum Wages Act, 1948 is 6 months, but no case was disposed of within the six months.

Certification of Standing Orders Industrial Employment (Standing Order Act):

Sri Md. Khalid, Jr. Asst. produced the register of Standing Orders before the Inspector in the presence of the Joint Commissioner of Labour. Then Inspector examined the register and as per the above-said register, total 12 cases were reported from 01.01.2020 to the date of the Surprise Check. The details are as follows:

Sl. No.	File.No.	Name of the Establishment	Date of Receipt of Draft Standing Orders	Date of Disposal	Remarks
1.	D/27/2020	Intersnack Cashew India Pvt Ltd, Survey.No.332/ 2B, 335/1&2, Chinnimpeta, Siripuram Village, Yeleswaram Mandal, East Godavari District-533432.	04/01/2020	30/05/2020	The Standing Orders in respect of Intersnack Cashew India Pvt Limited are Certified Vide Procgs.No.D/27/2020 , Dated: 30.05.2020 of the Joint Commissioner of Labour, Zone-II, Eluru.
2.	D/140/2020	M/s. Manasa Hotels Pvt Ltd, (Paradigm Sarovar Portico), Subhash Road, Kakinada, East Godavari District-533001.	24/01/2020	21/11/2020	The Standing Orders in respect of M/s. Manasa Hotels Pvt Ltd are Certified Vide Procgs.No.D/140/2020, Dated: 21.11.2020 of the Joint Commissioner of Labour, Zone-II, Eluru.
3.	D/407/2020	Andhra Paper Limited, Regd Office: Rajamahendravaram, East Godavari District-533105.	12/03/2020	--	As Per the Enquiry Report Submitted by ACL, Rajamahendravaram, the Management has not submitted any amended certificate under the Factories Act, 1948 with regard to change of the name of the company and stated that it is under process. Hence, Amendment of Standing Orders is Pending.

4.	D/419/2020	M/s. Surya Global Hospitals Pvt Ltd, Near Railway Crossing, Madhava patnam, Kakinada, East Godavari District-533005.	13/03/2020	30/01/2021	The Standing Orders in respect of M/s.Surya Global Hospitals Pvt Ltd are Certified Vide Procgs.No.D/419/2020, Dated: 30.01.2021 of the Joint Commissioner of Labour, Zone-II, Eluru.
5.	D/1240/2020	Vasista Marine, Door.No.26-16-6, Vasanthi Complex, ASR Nagar, J.P.Road, Bhimavaram, West Godavari District-534202.	12/10/2020	22/10/2020	The Standing Orders in respect of Vasista Marine are Certified Vide Procgs.No.D/1240/2020, Dated: 22.10.2020 of the Joint Commissioner of Labour, Zone-II, Eluru.
6.	D/1381/2020	MouryaAquex Pvt Ltd, Door.No: 1-330/1, Komarada Road, Rayalam(V), Bhimavaram(M), West Godavari District-534208.	09/11/2020	05/12/2020	The Standing Orders in respect of MouryaAquex Pvt Ltd are Certified Vide Procgs.No.D/1381/2020,Dated: 05.12.2020 of the Joint Commissioner of Labour, Zone-II, Eluru.
7.	D/1520/2020	Ms/.N.K.Marine Exports LLP, Survey No.750, DosapaduPuntha Road, Duvva Village, TanukuMandal, West Godavari District-534156.	05/12/2020	19/12/2020	The Standing Orders in respect of M/s.NK Marine Exports LLP are Certified Vide Procgs.No.D/1520/2020,Dated: 19.12.2020 of the Joint Commissioner of Labour, Zone-II, Eluru.
8.	D/33/2021	Uma Spintex India Pvt Ltd, Tamirisa(P.O.), Nandivada(M), Krishna District-521327.	05/01/2021	23/01/2021	The Standing Orders in respect of Uma Spintex India Pvt Ltd are Certified Vide Procgs.No.D/33/2021 ,Dated: 23.01.2021 of the Joint

					Commissioner of Labour, Zone-II, Eluru.
9.	D/34/2021	Mohan Spintex India Limited, Unit-4, APIIC Model Industrial Park, Plot No.16, Mallavalli (P.O.), Bapulapadu(M), Krishna District-521111.	05/01/2021	23/01/2021	The Standing Orders in respect of Mohan Spintex India Limited are Certified Vide Procgs.No.D/34/2021 ,Dated: 23.01.2021 of the Joint Commissioner of Labour, Zone-II, Eluru.
10.	D/35/2021	Mohan Spintex India Limited, Home Textiles, Remalle (P.O.), Bapulapadu(M), Krishna District-521110.	05/01/2021	23/01/2021	The Standing Orders in respect of Mohan Spintex India Limited are Certified Vide Procgs.No.D/35/2021 ,Dated: 23.01.2021 of the Joint Commissioner of Labour, Zone-II, Eluru.
11.	D/133/2021	Ravali Spinners Pvt Ltd., Khandavalli(V), Peravali(M), West Godavari District.	30/01/2021	--	Directed the Asst.Labour Officer, 1st Circle, Tanuku to verify whether any union is existing in the said establishment and if there is no union, conduct election to elect four workers representatives as required under Rule 8(1) of the A.P.Industrial Employment(Standing Orders) Rules, 1953 vide this Office Memo.No.D/133/2021, Dated: 06.02.2021.
12.	D/283/2021	Praveen Spinners(India) Private Limited, R.S.No.142 & 147,	25/02/2021	--	Directions to be issued to the Asst. Commissioner of Labour, Gudivada to verify whether any

		Ravicherla(V), Nuzvid(M), Krishna District-521001.			union is existing in the said establishment and if there is no union, conduct election to elect four workers representatives as required under Rule 8(1) of the A.P.IndustrialEmployment(Standing Orders) Rules, 1953.

As per the citizen charter, the time limit for disposal above cases is 6 months. As seen from the above table, it is noticed that Sl.No. 2 & 4 were disposed of beyond 6 months by violating the citizen charter. Sl.No.3 is still pending for disposal for the last 9 months.

Workmen Compensation Register Workmen Compensation Act,1923.

Sri Bodamuri Lakshman Kumar, Sr. Asst. produced 27 Volumes of registers being maintained under the Workmen Compensation Act, 1923 in the office of JCL in the presence of the Joint Commissioner of Labour. Then Inspector verified the details of deposits up to the year 2008 and noticed that the Term Deposits of minors, which were deposited in the bank are not monitored properly by the authorities, resulting huge amount of deposits being kept in the bank without giving the amount to beneficiaries. The details were mentioned in the mediators report.

When the Inspector asked Sr. Assistant, he stated that most of all the above beneficiaries are eligible to get their compensation as all are majors as of now. As the beneficiaries did not represent the matter to JCL, they are unable to disburse the amount to the beneficiaries

As per the Distribution order, the amount allotted to the minor son of the deceased shall be kept in the bank in the form of Term Deposits till he attains the age of majority and also amounts allotted to the minor daughter of the deceased shall be kept in the bank till she attains the age of maturity or till her marriage whichever is earlier and in Majority of the cases the authorities are not following the above guidelines mentioned in the distribution order.

Due to lack of awareness even after the maturity date, beneficiaries are not approaching the authorities for their deposit amount though they are in need of further education repayment of debts, and their marriage expenses.

Delay Deposit:

As per sub-section (3) of Section 4A of the Workmen Compensation Act, the Employer or party has to deposit the amount of compensation within one month from the date of order of the Commissioner concerned. If the Employer or the party failed to deposit the compensation with the Commissioner concerned within the statuary period, 12% of interest shall be collected from the Employer or the party. The ACL, Eluru did not collect the 12% of the interest from the employer or the party, though, they did not deposit the amount within the statuary period in the following cases.

	Case Number	**Order date**	**Deposit Date**	**Amount**
1	2	3	4	5
ACL, Eluru	WC MP 3/2017	16-03-2019	07-05-2019	540000.00
ACL, Eluru	WC 12/2016	08-09-2018	02-02-2019	700000.00
ACL, Eluru	WC 10/2018	08-12-2018	02-02-2019	650000.00
ACL, Eluru	WC 6/2018	09-03-2019	07-05-2019	636000.00
ACL, Eluru	WC MP 1/2017	08-12-2018	29-03-2019	500000.00

LABOUR CESS:

Sri Netala Vijaya Sampath Kumar Babu, Jr. Asst. produced the details of labourcess being collected in the office of Joint Commissioner of Labour, Eluru in the presence of the Joint Commissioner of labour. Then the Inspector verified the details and the details noted below:

Office of the Joint Commissioner of Labour, Zone-II, Eluru				
Sl. No	Name of the construction Estt / owner/Principal employer/ Contractor	Cess Payable	Cess amount collected	Cess amount to be collected
1	The KCP Limited, (Cement Plant) , Ramakrishna nagar, Muktyala (V), Jaggaihapeta Mandal	5,93,72,480	1,25,70,336	4,68,02,144

2	The KCP Limited, (Thermal Power Plant) , Ramakrishna nagar, Muktyala (V), Jaggaihapeta Mandal	1,08,63,610	0	1,08,63,610
3	Ruchi Soya Industries Ltd, Oil Palm Division, Amapapuram (V)Bapulapadu (M)	77,30,030	77300	76,52,730
4	Sahyadri Industries Ltd, S.Y.No: 118, Narasimaharaopalem(V), veerulapadu(M)	65,31,710	843300	56,88,410
5	HIL Limited (Formerly Hyderabad Industries Ltd), Plot No: 289, IDA, Kondapalli	39,98,440	1442583	25,55,857
6	Sri Vishnu Shankar Mill Ltd, Gopinenipalem, Vatsavai (M)	40,63,040	0	40,63,040
7	UshaspincoatPvtLtd,R.s.No: 341, Chikkavaram (V) Gannavaram (M)	15,78,040	100000	14,78,040
8	Naga Sindhu Spinning & Ginning Mills Pvt Ltd S.Y.No: 1079-2, Krishnaraopalem (V) A.Konduru (M)	62,67,000	0	62,67,000
9	Yindu Textiles Pvt Ltd S.Y.No: 46, Tirumalagiri (V), Jaggaiahpeta (M)	37,96,430	0	37,96,430
10	Crux Biotech (India) (P) Ltd, Sy.No: 529, 530 & 531, Peddavaram (V) Nandigama (M)	83,26,690	183270	81,43,420
11	RA ChemPharma Ltd, R.S.No: 50/1, Mukteswarapuram, Jaggaiaheta (M)	8,65,940	8660	8,57,280
12	Dutta's Spinning Mills S.No:513/1, Thoragudipadu Road, Magallu, Nandigama (M)	22,52,390	0	22,52,390

13	4 S Spintex India Pvt Ltd, R.S.No: 28/1,29/1B, Bhimavaram (V), Vatsavai (M)	20,00,000	0	20,00,000
14	NCL Altech&Seccolor Ltd, S.y. No:300, Kavuluru (V), G.Konduru (M)	33,21,370	33,218	32,88,152
15	SatyavathiBiolife sciences Limited, S.Y.No:174 & 176 Adavairavulapadu Village, Nandigama (M)	21,48,360	0	21,48,360
16	Sri Sambasiva TMC Unit S.Y.NO;167, Tirumalagiri village, JaggaiahpetaMandal	2,65,820	0	2,65,820
17	M/s.VennarCiramics Ltd, Perikigudem Village, Mandavalli (M)	60,41,590	900000	51,41,590
18	M/s Dolphin Polymers Perikigudem village, Mandavalli (M)	5,60,770	0	5,60,770
19	M/s NagarjunaCerachemPvt Ltd, Perikigudem (V), Mandavalli (M)	9,38,160	0	9,38,160
20	M/s.Mithra Kyokuto SPV Co., Pvt Ltd, Veerapanenigudem(V) Gannavaram (M)	58,66,000	0	58,66,000
21	M/s.Praveen Spinners India Pvt Ltd, Ravicherla (V), Nuzvid (M)	57,42,850	0	57,42,850
22	M/s Gowthami Raw & Para Boiled Rice Mill, Pedugonnuru, (V),Mudinepalli (M)	4,13,270	0	4,13,270

23	M/s.N.G. Fertilisers& Chemicals Pvt Ltd, Kondurupadu (V), Bapulapadu (M)	4,13,270	410300	2,970
24	M/s N.G.PhospatesPvt Ltd, Kodurupadu(V), Bapulapadu (M)	23,43,000	165969	21,77,031
25	M/s.UmaSpintex India PvtLtd,Tamirisa (V), Nandivada (M)	95,09,630	0	95,09,630
26	M/s.GodrejAgrovet Ltd, Kanumolu village, Bapulapadu (M)	88,02,490	400000	84,02,490
27	M/s.MohanSpintex India Ltd, Unit -2, Remalle, Bapulapadu (M)	1,53,12,000	200000	1,51,12,000
28	M/s.MohanSpintex India Ltd, Unit -3, Remalle, Bapulapadu (M)	1,75,44,030	200000	1,73,44,030
29	JaypeeBalaji Cement Plant, Budavada Village, Jaggayyapeta (M)	29,83,00,000	0	29,83,00,000
30	M/s.PanduRangas Energy systems Ltd., Annadevarapeta (V), Tallapudi (M)	6,05,00,000	0	6,05,00,000
31	M/s.Ravali Spinners Pvt Ltd, Ltd, Near Tanuku, W.G.Dist	2,39,12,780	200000	2,37,12,780
32	Growel Feeds Private Limited, Chevuru (V), SriharipuramPanchayat, Singarayapalem post, Mudinepalli	1,17,85,430	569412	1,12,16,018

33	Growel processors Pvt.Ltd, S.No.8/6, Singarayapalem village & post, Mudinepalli (M)	51,83,960	827023	43,56,937
34	NSL Textiles Ltd, S.No.237, Kommuru Road, Veeravalli (V), Bapulapadu (M)	27,63,240	0	27,63,240
35	Mulpuru Foods &Feeds Pvt Ltd, R.S.No: 23 &30, Nuzvid Road, Morsapudu Village, Nuzvid	42,09,260	1132100	30,77,160
36	Deepak Nexgen Feeds Pvt Ltd, R.S.No.53/1, Koyyuru Road, Bommuluru village, Bapulapadu (M)	39,86,000	400000	35,86,000
37	Sentini Beverages Pvt Ltd, Gandepalli (V) Kanchikicherla (M)	50,08,000	0	50,08,000
38	Sri Sarvaraya Sugars Ltd, Bottling Unit, Gopalapuram, P.KannapuramPanchayat, D.Tirumalamandal	1,25,00,000	3437725	90,62,275
39	M/s.Bio Ethanol Agro Indusries Ltd, Annadevarapeta, TallapudiMandal	37,47,000	0	37,47,000
40	M/s.Vijayawada- gundugolanu projects private Ltd, New Delhi	14,27,00,000	0	14,27,00,000
41	works taken up by Contractors under JNNURM in Vijayawada Municipal Corporation	2,21,44,541	1,02,80,693	1,18,63,848
42	Polavaram Irrigation Scheme with Headworks Main Dam package,Left and Right Connectivities at Polavaram (V) & (M)	25,68,20,000	14,81,22,529	10,86,97,471
43	Pattiseema Lift Irrigation Scheme, Polavaram (M)	5,06,20,000	14,20,90,505	9,14,70,505

44	Construction of M/s.Laila Hotels & Resorts Pvt Ltd, Vijayawada	9,04,802	9,04,802	0
45	Construction of Lixil India SanitarywarePvt Ltd, Amberpet Village, BhimadoleMandal	89,27,000	3,84,254	85,42,746
46	Construction of Godavari Mega Aqua food park pvt Ltd, Tunduru, Bhimavaram, W.G.dist	1,15,50,000	3,50,000	1,12,00,000
47	AmruthaVarshiniDiary Farms (P) Ltd, Lakshmi Nagar, GunnampalliMandal, W.G.Dist	14,50,000	0	14,50,000
48	Vasista marine J.P.Road, Bhimavaram, W G District	8,00,000	5,000	7,95,000
		112,46,80,423	**32,62,38,979**	**79,84,41,444**

As seen from the above table, it is noticed that an amount of Rs.79,84,41,444/- is pending for collection towards labourcess from the year, 2006.

As per the Oral evidence mentioned in Sl. Nos.1 to 4 & 6 to 9 in the Annexure-III and documentary evidence mentioned in Sl. Nos. 1,8 to 11 in the Annexure-IV proved the above lapse exhibited by the Charged Government Servant.

Thus, the Charged Government Servant has exhibited gross negligence and lack of devotion to duty conduct unbecoming of Charged Government Servant and thereby contravened/violating the Rules 3 (1), 3(2) & 3 (5) APCS (Conduct) Rules,1964.

M.V. SESHAGIRI BABU
SECRETARY TO GOVERNMENT (FAC)

// FORWARDED : : BY ORDER //

SECTION OFFICER

ANNEXURE – III

LIST OF WITNESSES:

1. Sri Mohammed Yousuf, S/o. Md. Idris, Age: 46 Years, Asst., Audit Officer, O/o. District Audit Office, Eluru (Mediator-1):

He is the mediators-1 and he speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru.

2. Sri Uppuluri Sarath Babu, S/o. Sanjeeva Rao, Age: 56 years, Sr. Auditor, O/o. District Audit Office, Eluru (Mediator-2):

He is the mediators-2 and he speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru.

3.Sri Ambati Venkata Sivaji, S/o. Krishna Murthy, Age: 58 years, Sub-Treasury Officer, O/o. District Treasury Office, Eluru. (Mediator-3):

He is the mediators-3 and he speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru.

4.**Sri Koka Karuna Kumar, S/o. RammohanaRao, Age: 27 years, Jr., Assistant, O/o. District Treasury Office, Eluru. (Mediator-4):**

He is the mediators-4 and he speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru.

5.SriDr.S.S.Rao, Registrar, Sathyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai:

He is confirmed that the Register Number SU485569 does not belongs to them and was not issued any such certificate. Hence, the certificate carrying Register Number SU485569, of Mr. Roopkanth was a fake certificate and was not issued by them and the same was informed to the Joint Commissioner of Labour, Eluru, West Godavari District through his letter dated: 1st February, 2020.

6.SriSinguluri Venkateswara Rao, Dy. Supdt. of Police, ACB, Eluru Range, Eluru, West Godavari District:

He speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru and etc. facts.

7.Sri K.Srinivasu, Inspector of Police, formerly ACB, Eluru Range, Eluru, West Godavari District now Circle Inspector of Police, Kakinada Rural, E.G. Dist:

He also participated in the Surprise Check and speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru and etc. facts.

8.Sri M. Raveendra, Inspector of Police, formerly ACB, Eluru, Eluru Range, West Godavari District now Inspector of Police, CID, AP, Mangalagiri:

He also participated in the Surprise Check and speaks about the surprise check proceedings conducted on 04.03.2021 at O/o. the Joint Commissioner of Labour, Zone-II, Eluru. He was conducted further investigation and hand over to his successor Sri K. YesuBabu, Inspector of Police and etc. facts.

9.SriK.Yesubabu, Inspector of Police, ACB, Eluru Range, Eluru, Eluru District:

He took up charge from his predecessor Sri M. Ravindra, Inspector of Police, conducted further investigation and prepared detailed report.

Any other witness produced during the enquiry.

M.V. SESHAGIRI BABU
SECRETARY TO GOVERNMENT (FAC)

// FORWARDED : : BY ORDER //

SECTION OFFICER

ANNEXURE –IV

LIST OF DOCUMENTS:

1.Original Attendance Register of the Office of Joint Commissioner of Labour, Eluru:

It shows the attendance of the employees in the office of the Joint Commissioner of Labour, Eluru.

2. Attested copy of Appointment order of Sri Velagapalli Roopkanth, Jr. Asst. vide Procs. NO.A/2659/2014, dated: 09.09.2014:

This is the copy of the appointment order of Sri Velagapudi Roopkanth, S/o. Late V.K. Raja Babu (Asst. Labour Officer) was appointed as Jr.Assistant on compassionate grounds, orders issued by the Joint Commissioner of Labour, Zone-II, Eluru. In this appointment order subject to the condition he should complete his Degree within two years from the date of his joining along with a Computer Certificate. Attested copy of the appointment order produced by the Joint Commissioner of Labour, Zone-II, Eluru at the time of Surprise Check conducted on 04.03.2021 and the same was seized by the Inspector, ACB, Eluru duly attested by the Inspector, ACB, Eluru and mediators.

3. Attested copy of Lr.No. Nil, dated: 01.02.2020 issued by Registrar, Sri Sathyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai:

This letter was produced by the Joint Commissioner of Labour, Zone-II, Eluru at the time of the Surprise Check conducted on 04.03.2021. As per this letter Sri Dr.S.S.Rao, Registrar of Sathyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai addressed a letter to the Joint Commissioner of Labour, Zone-II, Eluru, and confirmed that the Xerox copies of the Degree Certificate & Marks statement were sent by him were fake and not issued by the Sathyabama University.

4. Attested copy of Show Cause Notice issued by the Joint Commissioner of Labour, Zone-II, Eluru vide No.A/2659/2014, Dated: 19.02.2020:

This is the show cause notice produced by the Joint Commissioner of Labour, Zone-II, Eluru at the time of the Surprise Check conducted on 04.03.2021. As per this notice, on 19.02.2020 the Joint Commissioner of Labour, Zone-II, Eluru called for the explanation of Sri V. Roopkanth, Jr. Assist O/o. JCL, Zone-II, Eluru within 7 days about producing the fake certificates of Satyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai.

5. Attested copies of correspondence file of Sri VelagapalliRoopkanth, Jr. Asst. O/o. JCL, Eluru-II, Eluru:

This file correspondence belongs to Sri V. Roopkanth, Jr. Assist. O/o. JCL, Zone-II, Eluru was produced by the Joint Commissioner of Labour, Zone-II, Eluru at the time of the Surprise Check conducted on 04.03.2021. It contains 1 to 166 sheets.

6. Original letter Ref. No. General/492/2021-2022, dated: 05-05-2022 issued by the Registrar, Sri Sathyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai:

As per this letter Sri Dr.S.S.Rao, Registrar of Satyabama Institute of Science and Technology, Jappiaar Nagar, Rajiv Gandhi Salai, Chennai addressed a letter to the Inspector of Police, ACB, Eluru Range, Eluru and confirmed that the Register Number SU485569 does not belong to them and was not issued any such certificate. Hence, the certificate carrying Register Number SU485569, of Mr. Roopkanth was a fake certificate and was not issued by them and the same was informed to the Joint Commissioner of Labour, Eluru, West Godavari District through his letter dated: 1st February, 2020.

7. Attested copy of Promotion Note File No.Rc.No.A/1488/2016, dated: 28.04.2016 of Sri B. Praveen Kumar, from OS to Jr. Asst., containing 1 to 7 sheets (No need).

This file belongs to the promotion note of Sri B.PraveenKumar, Office Subordinate was produced by the Joint Commissioner of Labour, Zone-II, Eluru at the time of the Surprise Check conducted on 04.03.2021. It contains 1 to 7 sheets.

8. Original Surprise Check Proceedings dated: 04.03.2021 drafted in the O/o. Joint Commissioner of Labour, Eluru, W.G. Dist:

It shows the surprise check proceedings, violations, and seizure of registers and documents.

9. Service particulars and Job chart of JCL, Zone-II issued by the Commissioner of Labour, Vijayawada through Lr. No. A1/449/2022, dated: 17.02.2022:

It shows the service particulars and Job chart of the Joint Commissioner of Labour, Zone-II, Eluru, West Godavari District furnished by the the Commissioner of Labour, Vijayawada.

10. Service particulars and Job chart of 1. Smt. Mahaboob Sultana, Office Superintendent, 2. Sri K.B.R Sarma, Sr.Asst-1, 3.Sri P. Rajendra, Sr. Asst-2, 4. Smt. S.Bhimamma, Attender, 5. Sk. Jabeena, Sr. Asst., 6.Sri B. Lakshmana Kumar, Sr. Asst and 7.Sri Md. Rahmatullah, Sr. Asst. issued by the Joint Commissioner of Labour, Zone-II, Eluru through R.C.No. A1/1119/2021, dated: 30.09.2021:

It shows the service particulars and Job chart of the above individuals furnished by the Joint Commissioner of Labour, Zone-II, Eluru, West Godavari District.

11. TDR information regarding Sl.No.252 to 979 – Worth Rs.5,76,97,364/- through his letter Rc. No. A/Surprise/ Visits-ACB/2021, dated: 03.3.2022.

As per this later was submitted by the Joint Commissioner of Labour, Zone-II, Eluru has furnished the due course information regarding the remaining details of Term Deposits Sl. No.252 to 979 worth of Rs. 5,76,97,364/- through his letter No. RC No.A/Surprise/Visits-ACB/2021, dated: 3.3.2022.

12. Procgs. No. A/2659/2014, dated: 18.03.2021, O/o. the Joint Commissioner of Labour, Zone-II, Eluru:

As per the above proceedings Sri V. Roopkanth, Jr. Assist. O/o. Assist. Commissioner of Labour, Vijayawada had been reverted from Jr. Assist. Post to office subordinate post and posted at O/o. Asst. Commissioner of Labour, Vuyyuru because in view of grave misconduct committed by the individual (i.e., V.Roopkanth) and in exercise of powers conferred on the JCL, Zone-II, Eluru.

13. Letter No. A1/449/2022, dated: 17.02.2022 office of the Spl. Commissioner of Labour, Andhra Pradesh, Vijayawada:

As per this letter the Spl. Commissioner of Labour, A.P., Vijayawada has confirmed that the Sri B. Praveen Kumar, Jr. Asst. submitted a Certificate of "Senior Secondary School Noida". Which certificate is eligible for cadre of Jr. Assistant post on transfer from the post of OS conducted by the Andhra Pradesh State Board of Intermediate Education/Senior Secondary School Examination conducted by the National Institute of Open Schooling, Noida through his letter No.A1/449/2022, dated: 17.02.2022 of the Spl. Commissioner of Labour, A.P., Vijayawada". Hence there is no violation on promotion and appointment by transfer from office subordinate to the post of Jr. Assistant.

Any other documents produced during the enquiry.

M.V. SESHAGIRI BABU
SECRETARY TO GOVERNMENT (FAC)

// FORWARDED : : BY ORDER //

SECTION OFFICER